

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 744 final

Brussels, 18 December 1978

## RECOMMENDATION FOR A COUNCIL DECISION

concerning the negotiation by the European Economic Community of its accession to the Convention for the prevention of marine pollution by dumping from ships and aircraft, signed at Oslo on 15 February 1972

(Presented by the Commission to the Council)

Recommendation for a Council decision of ....

concerning the negotiation by the European Economic Community of its accession to the Convention for the prevention of marine pollution by dumping from ships and aircraft, signed at Oslo on 15 February 1972.

---

Since 1973, in application of the action programmes on the environment, the Community has adopted or intends to adopt measures aimed at reducing the discharge of pollutants into the environment. This reduction can, in some cases, induce an increase in non recoverable waste production, and lead those who hold such wastes to dump them voluntarily into the sea. In order to avoid the substitution of one form of pollution by another and to ensure thereby the global environmental protection which was foreseen by the action programmes, it seems necessary to take, at Community level, measures to check the amount and consequences of such dumping on the environment.

On 12 January 1976 the Commission sent the Council a proposal for a directive on the dumping of wastes at sea. This proposal aims at harmonizing laws and regulations of the Member States concerning dumping of wastes at sea. Some Member States were against that proposal.

However, during the discussion, it appeared that the aim could also be reached if the Community should access to the Oslo Convention for the prevention of marine pollution by dumping from ships and aircraft<sup>\*)</sup>.

---

<sup>\*)</sup> The question of the accession of the Community to the London Convention on the prevention of marine pollution by dumping of wastes and other matter has also been discussed. This Convention having a world-wide character, a possible accession of the Community to it should lead to very important negotiation difficulties having regard the number and the diversity of the signatory states. Moreover, the implementation of that Convention does not, at present pose problems as far as concerns the implementing rules of the Convention as well as the coherence of the obligations foreseen in that Convention with the work undertaken by the Community in the same field.

Indeed, the Community is already a Contracting Party to the Barcelona Convention for the protection of the Mediterranean Sea against pollution, and, in particular, to the protocol for the prevention of pollution of the mediterranean sea by dumping from ships and aircraft.

On a Commission recommendation, the Council also decided to open negotiations with a view to the accession of the European Economic Community to the Helsinki Convention on the protection of the marine environment of the Baltic Sea area which applies, amongst others to this type of pollution.

Finally the Community is a Contracting Party to the Paris Convention on the prevention of marine pollution from land-based sources, which is, like the the Oslo Convention, applicable to the Nord-East Atlantic.

In the Oslo and Paris Conventions, two Commissions of the Contracting parties and a common secretary were set up in order to survey the implementation of the Convention, to monitor the state of the sea and the efficiency of the measures taken.

The Community is a party to all the work undertaken in the Paris Convention and is an observer in those of the Oslo Convention.

In order to ensure a coherent implementation of the obligation forseen by the Treaty, by the action programmes on the environment with the ones which are derived from the above mentionned Conventions, it seems necessary that the European Economic Community accede to the Oslo Convention.

This accession should also permit the approximation of the rules on the application of these conventions as far as necessary for the proper functioning of the Common Market and the implementation of the action programmes.

In this perspective, it is recommended to the Council to authorize the Commission to negotiate, beside the Member States and on behalf of the Community the requisite amendments for the accession of the Community to the Convention for the prevention of marine pollution by dumping from ships and aircraft, signed at Oslo on 15 February 1972.

On the basis of the results of this negotiation, the Commission will report to the Council and ask if necessary the accession of the Community.

Project for a Council decision of .....

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAVING regard to the Treaty establishing the European Economic Community,

HAVING regard to the recommendation by the Commission,

WHEREAS the european community action programmes on the environment stresses the importance for the Community of the fight against sea pollution in general, foresees - amongst other things - Community action with a view to combatting pollution resulting from the dumping of waste and makes it clear that the protection of sea-water in order to maintain vital Ecological equilibria is a priority task;

WHEREAS the Convention for the prevention of the marine pollution by dumping from ships and aircraft, signed at Oslo on 15 February 1972, foresees the elaboration and implementation by the Contracting Parties of measures to control dumping of certain wastes at sea as well as common activities with a view to define marine pollution, establish lists of harmful substances priorities and action programmes and to organize control and monitoring of the marine environment.

WHEREAS it is necessary to ensure the coherent implementation of the obligations foreseen by the ECE Treaty, by the european communities action programmes on the environment with the ones which are derived from the international Conventions in which the Community is a Contracting Party;

WHEREAS the accession of the European Economic Community to the Oslo Convention may permit the approximation of the rules on the application of these conventions as far as necessary to the proper functioning of the Common Market and the implementation of the action programmes;

HAS DECIDED AS FOLLOWS :

Sole Article

The Commission is hereby authorised to open negotiations with the non-Member States Party to the Oslo Convention of 15 February 1972 for the prevention of marine pollution by dumping from ships and aircraft with a view to the accession of the Community to that Convention.

The Commission should conduct these negotiations in consultation with the representatives of the Member States in accordance with the directives annexed to this Decision.

Done at Brussels,

For the Council

The President

ANNEXDirectives for the negotiations

The Oslo Convention of 15 February 1972 for the prevention of marine pollution by dumping from ships and aircraft should be amended in such a way as to permit the European Economic Community to accede to it.